


FILED

APR 23 2002

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

NANCY SMITH

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§
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§
§

v.

CASE NO. A 01CA 442 SS

BROADWING COMMUNICATIONS,
INC. F/K/A IXC COMMUNICATIONS


**DEFENDANT'S OBJECTIONS ON GROUNDS OTHER THAN
FED. R. EVID. 402 AND 403 TO THE ADMISSIBILITY
OF PLAINTIFF'S TRIAL EXHIBITS**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COMES NOW, Defendant Broadwing Communications, Inc., f/k/a IXC Communications (whose correct name is Broadwing Communications Inc.) (hereinafter "Defendant" or "Broadwing") and pursuant to Local Rule CV-16(e)(ii) files this its objections on grounds other than Fed. R. Evid. 402 and 403 to the admissibility of Plaintiff's trial exhibits. To date, Defendant has not received an exhibit list from Plaintiff. As such, Defendant reserves its right to object on any grounds to documents submitted as trial exhibits by Plaintiff after Defendant has received Plaintiff's exhibit list.

Respectfully submitted,


JACKSON WALKER LLP.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
Telephone: (512) 236-2000
Facsimile: (512) 236-2002

By: 
Matt Dow
State Bar No. 06066500
Thomas M. Lipovski
State Bar No. 00791121

ATTORNEYS FOR DEFENDANT BROADWING
COMMUNICATIONS, INC. F/K/A IXC
COMMUNICATIONS

CERTIFICATE SERVICE

This is to certify that on the 23rd day of April, 2002, a true and correct copy of the foregoing document has been hand delivered to Scott F. DeShazo, Herman, Howry & Breen, L.L.P., 1900 Pearl Street, Austin, Texas 78705.


Thomas M. Lipovski